

EQUALITY IMPACT ASSESSMENT

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protected characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council’s commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council’s Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Public Spaces Protection Order Alcohol & Dog Control
Service area	Environment & Neighbourhoods – Community Safety & Enforcement
Officer completing assessment	Allison Pibworth/Joan Appavoo
Equalities/ HR Advisor	Louise Hopton Beatty
Cabinet meeting date (if applicable)	10 th March 2020
Director/Assistant Director	Stephen McDonnell

2. Summary of the proposal

Please outline in no more than 3 paragraphs

- The proposal which is being assessed*
- The key stakeholders who may be affected by the policy or proposal*
- The decision-making route being taken*

The existing Public Space Protection Orders (PSPOs) for Alcohol and Dog Control expire on the 18th October 2020. The Cabinet are being asked for permission to consult on the following:

- Extend the 11 PSPOs for the control of alcohol until October 2023
- Extend the boundary of the Woodside PSPO to include Lordship Lane, Chapmans Green Park and the surrounding roads.
- Extend the PSPO for Dog Control until October 2023 (continuing to cover the whole borough)
- Dog owners are required to - produce a device or other means for removing dog faeces when requested by an officer (Consultation to vary the current PSPO)
- We propose to consult with residents for a period of 6 weeks. Consultation will take place on 11th May 2020 until 23rd June 2020.

The terms of the PSPOs in relation to Dog Control are outlined below:

- Dog Fouling - it will be an offence not to clean up after your dog (boroughwide)
- Dogs on Leads - cemeteries, car parks, open spaces and parks less than half a hectare
- Dogs on Leads by direction - a dog is to be placed on a lead when directed to do so by an authorised officer. The owner of a dog can only be instructed to put their dog on a lead if the dog is causing a nuisance to members of the public, worrying other dogs or animals
- Dog exclusion - dogs will be excluded from children's play areas, playgrounds, ball courts, pool areas, marked sports pitches and games areas.
- Dogs (Specified Maximum) - the number of dogs that can be walked by one person will be limited to six
- A new requirement to require a person in charge of a dog to produce a device or other means for removing dog faeces when requested by an officer.

In terms of the PSPOs related to alcohol controls:-

- The following wards currently have Orders in place: Bounds Green, Bruce Grove, Harringay, Noel Park, Northumberland Park, St Ann's, Seven Sisters, Tottenham Green, Tottenham Hale, West Green and Woodside.
- The PSPO within each ward will not affect: pubs, restaurants and off licences or areas covered by a temporary event notice
- The PSPO cannot ban the drinking of alcohol in a public space, the offence is failing to comply with an officer's request within the restricted area of the PSPO to stop drinking and/or surrender alcohol. This criminal offence can be dealt with by issuing a fixed penalty notice or a summons to court.

The penalties for breach either the Alcohol or Dog Control PSPOs is a fixed penalty of £100.00 or a maximum fine of £1000.00 on conviction.

The PSPOs will assist the Council and the police to tackle anti-social behaviour; resulting in a reduction in individuals engaging in anti-social behaviour such as, that arising from the consumption of alcohol. It will also ensure that dog owners behave responsibly by cleaning up after their dog and ensuring that these are kept under control, so they do not cause a nuisance to members of the public or other dogs and animals.

The PSPO would apply to all individuals committing antisocial behaviour within the designated area, without discrimination.

However, there are exemptions regarding dog fouling - a person who is registered blind or who has a disability which affects their mobility and who is registered disabled is exempt from cleaning up after their dog. In regard to dog exclusion areas, persons who are registered blind or who have an assistance dog and who are registered with a known charity will be exempt and will be able to enter these areas freely.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
Sex	Haringey Borough Plan EQIA data Haringey Census 2011	
Gender Reassignment	Human Rights Commission national estimate.	
Age	Haringey Borough Plan EQIA data Haringey Census 2011	

Disability	<i>Haringey Borough Plan EQIA data Haringey Census 2011</i>
Race & Ethnicity	<i>Haringey Borough Plan EQIA data Haringey Census 2011</i>
Sexual Orientation	<i>No available data for Haringey</i>
Religion or Belief (or No Belief)	<i>Haringey Borough Plan EQIA data Haringey Census 2011</i>
Pregnancy & Maternity	<i>No available data for Haringey</i>
Marriage and Civil Partnership	<i>Haringey Borough Plan EQIA data Haringey Census 2011</i>

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How do this compare with wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

Given that the PSPO related to dogs covers the whole borough and 11/19 of the wards are covered by the alcohol related PSPO Haringey borough wide data has been used. For the alcohol related PSPO, if there is likely to be a slightly different profile for the 11/19 ward than Haringey as a whole this has been noted.

Sex

There are slightly more males than females in Haringey 49.6% of residents are female and 50.4% are male, in line with London and national averages.

Gender Reassignment

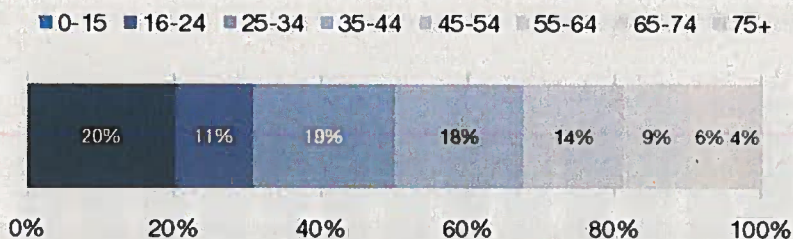
We do not hold local data on gender reassignment. The Equality and Human Rights Commission estimate that there is between 300,000-500,000 transgender people in the UK1.

Age

Haringey has a relatively young population with 31% of the population being 24 or under and only 10% 65+.

¹ <https://www.equalityhumanrights.com/en/trans-inequalities-reviewed/introduction-review>

Total Haringey Population



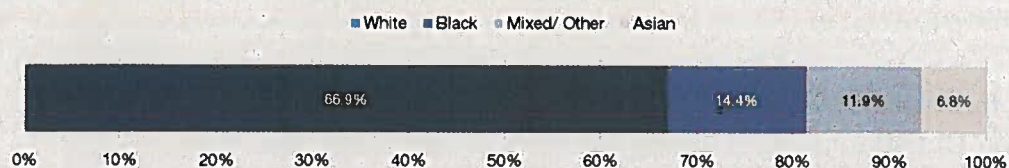
Disability

- Over 19,500 people aged 16 to 64 in Haringey have a physical disability; this equates to approximately 10% of the population aged 16-64.
- In Haringey 4,500 people have a serious physical disability; 15,700 adults have a moderate or severe hearing impairment; and almost 5,000 people have sight loss which impacts on daily life.
- An estimated 5,700 Haringey residents aged 14 and over are estimated to have a learning disability, and around 2,100 residents are estimated to have autism.

Race and Ethnicity

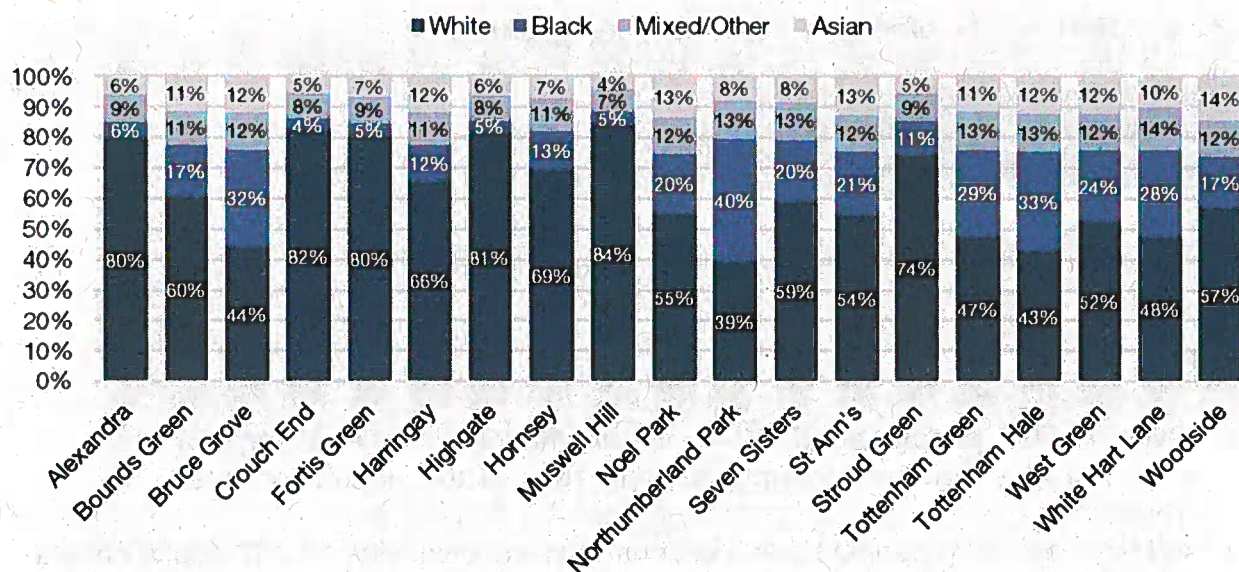
People of White and White Other ethnicity make up the largest proportion of Haringey's population, followed by those of Black, Mixed/other and Asian ethnicity.

Haringey Population by Ethnicity



However, this differs greatly by ward.

Ethnic Population of Haringey, by ward



It is recognised that the wards covered by the Alcohol PSPO typically have higher levels of BAME residents.

Sexual Orientation

We do not hold ward or borough level data on sexual orientation, and it is not collected nationally through the Census. However, the ONS estimates that 3.7% of Haringey's population are lesbian, gay or bisexual (LGB), which is the 15th largest LGB community in the country.

Religion or Belief

Haringey is one of the most religiously diverse places in the UK. The most common religion was Christianity, accounting for 45% of residents, less than London (48.4) and less than England (59.4%). The next most common religions were Muslim (14.3%) – higher than London (12.3%) – and Jewish (3%). Haringey had a lower percentage of residents who were Hindu (1.8%) and Sikh (0.3%) than London (5.0% and 1.5%, respectively). A quarter of Haringey residents stated that they did not have a religion, higher than London (20.7%).

Pregnancy and Maternity

The General Fertility Rate (GFR) is the number of live births per 1,000 women aged 15-44. In 2018, Haringey's rate of 59.6 was broadly in line with the London average of 60.1.

Marriage and Civil Partnership

Haringey has relatively low levels of marriages at 33.3%, compared to England average of 46.6% and London average of 39.8%.

Haringey has a higher proportion of couples in a registered same sex civil partnership than England and London. 0.6% (or 1,191 residents), compared to 0.2% for England and 0.4% for London.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqIA guidance

A statutory consultation needs to be undertaken before a decision can be taken. The period of consultation will run from 11/5/20 to 31/07/20.

The Council will ask those participating in the consultation to provide equalities data in line with protected characteristics identified within the Equality Act 2010. Data obtained will be used to understand if the proposal will disproportionately impact on groups with protected characteristics.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqIA guidance

1. Sex

The intension of the PSPO's are to make residents feel safer by tackling anti-social behaviour and to have a cleaner borough. This will apply to residents regardless of sex. However, evidence shows that females are more likely to feel unsafe than males

especially after dark (Residents Survey 2018). Therefore, the alcohol PSPO is likely to have a greater positive impact on women than men.

There are no known equality issues in terms of dog control related to sex.

Positive	√	Negative		Neutral impact		Unknown Impact	
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2. Gender reassignment

Transgender people, including those going through and having gone through gender reassignment, experience high levels of hate crime and discrimination. Tackling drinking and the associated anti-social behaviour may therefore have a positive impact on this group.

There are no known equality issues in terms of dog control related to gender reassignment.

Positive	√	Negative		Neutral impact		Unknown Impact	
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3. Age

Safety is a concern for all age groups and therefore the alcohol PSPO should have a positive impact across all ages. However, it is recognised that safety concerns are highest among older people (75+). Therefore, the alcohol PSPO may be more positive for older people.

All ages will benefit from improved cleanliness. However, it can be reasonably assumed that young children who are more likely to be playing on the ground are most likely to benefit from reduction of dog fouling.

Positive	√	Negative		Neutral impact		Unknown Impact	
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4. Disability

Disabled people are significantly more likely to be victims of crime than non-disabled people. The Alcohol PSPO could have a disproportionately positive impact on many disabled people.

However, it is also recognised that street drinking is likely to be higher among the homeless and that they are more likely to suffer from mental ill-health. Homeless Link (2014) stated that 80% of homeless people in England reported that they had a mental health issue, with 45% having been diagnosed with a mental health condition. It is

therefore important that engagement with homeless people, or indeed others with mental health conditions, promotes join-up with support services.

It is recognised that people with mobility problems or visual impairments may find it more difficult to comply with the Dog Control PSPO. Therefore, there are exemptions regarding dog fouling - a person who is registered blind or who has a disability which affects their mobility and who is registered disabled is exempt from cleaning up after their dog. In regard to dog exclusion areas, persons who are registered blind or who have an assistance dog and who are registered with a known charity will be exempt and will be able to enter these areas freely.

Positive	√	Negative		Neutral impact		Unknown Impact	
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5. Race and ethnicity

All races and ethnicities are likely to benefit from improved safety and cleanliness. However, according to police categorisations, the most common ethnicity of victims of crime in Haringey is White North European (representing 46% of all victims), followed by Black victims (27%) and White South European (16%). Therefore, while all race and ethnicities would be positively impacted by improved safety, those ethnicities are likely to be the most positively impacted.

It is recognised that the alcohol PSPO is in areas with higher BAME populations. These areas have been identified based on the evidence of need, i.e. reports to Police with an Alcohol / Licensing Nuisance Code and London Ambulance Service alcohol callouts.

There are no known equality issues in terms of dog control related to race and ethnicity.

Positive	√	Negative		Neutral impact		Unknown Impact	
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6. Sexual orientation

Lesbian, gay and bisexual people are more likely to experience hate crime. It can therefore be assumed that improving safety will be disproportionately positive for this group.

There are no known equality issues in terms of dog control related to sexual orientation.

Positive	√	Negative		Neutral impact		Unknown Impact	
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7. Religion or belief (or no belief)

Hate crime can disproportionately impact people from religious communities. For example, in 2017/18 Haringey experience the sharpest increases in Islamophobic (42%) and anti-Semitic (28%) hate crime. Therefore, the alcohol PSPO is likely to positively impact people from religious communities.

There are no known equality issues in terms of dog control related to religion or belief.

Positive	√	Negative		Neutral impact		Unknown Impact	
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8. Pregnancy and maternity

There are no known equalities issues related to pregnancy and maternity in relation to this report. For this reason, although the measures are likely to be positive overall, the impact has been noted as unknown.

If pregnancy and maternity are a mitigating factor in any breach it will be taken into consideration, to ensure that any enforcement is proportionate, reasonable and fair.

Positive		Negative		Neutral impact		Unknown Impact	√
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9. Marriage and Civil Partnership

There are no known equalities issues related to marriage and civil partnership in relation to this report. For this reason, although the measures are likely to be positive overall, the impact has been noted as unknown.

Positive		Negative		Neutral impact		Unknown Impact	√
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10. Groups that cross two or more equality strands e.g. young black women

The PSPOs are likely to have a positive impact on all regardless of any held protected characteristic. We do not have data to suggest that any groups that cross two or more equality strands would be more or less affected by the PSPOs for dog and alcohol control.

Through monitoring the implementation and enforcement of the PSPOs, we will continue to identify and address any equality implications for groups that have one or more protected characteristic.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- Could the proposal result in any direct/indirect discrimination for any group that shares the protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a protected characteristic and those who do not?

This includes:

- a) Remove or minimise disadvantage suffered by persons protected under the Equality Act
 - b) Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups
 - c) Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low
- Will the proposal help to foster good relations between groups who share a protected characteristic and those who do not?

Many of the groups with protected characteristics will be positively impacted by the proposal which aims to assist the council in tackling anti-social behaviour and to improve cleanliness.

The local authority recognises that people who are registered blind, have a mobility issue, those with assistance dogs would struggle to comply with the requirements of the Dog Control aspects of the PSPOs. Therefore these groups have been and will continue to be exempt from prosecution if found to be in breach of the dog control provisions of the PSPOs (as outlined above).

The council also recognise that street drinking is prominent amongst the street homeless population and they often have mental health problems. Extensive support and intervention is initially undertaken to address alcohol and other related issues through referrals to outreach services; providing individuals with the opportunity to engage in support and rehabilitation, prior to any decision to take any enforcement action.

Ensuring fairness in the application of the PSPO is critical. Currently the Enforcement Team does not hold any data regarding activities relevant to the existing PSPOs, as they are often short interventions and collecting equality data would be disproportionate. There have been no fines or prosecutions under the existing PSPOs (since October 2017). There have been no formal complaints about the existing PSPOs, which has been in place since October 2017. We therefore have no reason to believe that the PSPOs have been applied disproportionately or that any protected group would be disproportionately negatively affected in the future. To ensure this continues, the following actions will take place:

- The authorised officers who will monitor the area and enforce the PSPO have and will continue to consider the needs of the individual and their personal circumstances in order to make an informed, balanced and equitable decision as

to the appropriate action to take. This includes completing an Equality Impact Assessment prior to prosecution, during which consideration is given to any vulnerability and support needs, to ensure that any prosecution is proportionate, necessary and fair.

- Officers of the ASB Enforcement Team will keep up to date with any available Equalities training
- Issues & concerns will be regularly discussed in supervisions & at team meetings, to ensure that equality and fairness are fundamental considerations in any decision relating to enforcement
- Anyone issued a fine does have the right of Appeal or right to raise a complaint, which would be investigated and responded to by a senior manager.
- Any abuse of discretion when enforcing the proposed PSPO would be addressed swiftly using appropriate internal procedures, which could include further training or period of monitoring.
- The ASB Enforcement Team will collect equalities data during the period of the extended PSPOs in relation to any breaches (fines issued or resulting prosecutions).

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqlA guidance

Outcome	Y/N
No major change to the proposal: the EqlA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>	Y
Adjust the proposal: the EqlA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly <u>set out below</u> the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below	N
Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.	N

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which protected characteristics are impacted?	Action	Lead officer	Timescale

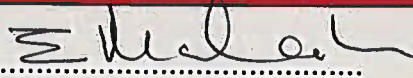
Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

No negative impact

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

The PSPOs will be monitored regularly throughout the life of the orders to ensure that any equalities issues are dealt with should they arise.

7. Authorisation

EqlA approved by  (Assistant Director/ Director)	Date <u>31/1/2020</u>
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8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EqlA process.

